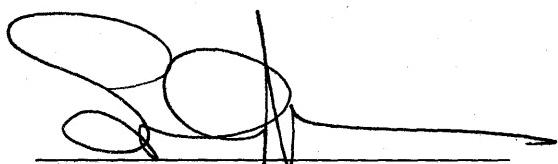


FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ FEB 19 2015 ★
BROOKLYN OFFICE

Agreement Regarding the Conduct of Depositions

United States v. Ahmed et al.
12 CR 661 (S2)(SLT)

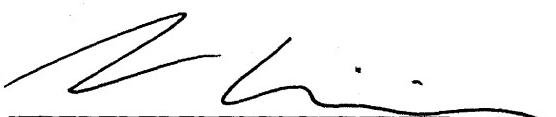
Subject to the approval of the Court, and pursuant to Federal Rule of Criminal Procedure 15(h), the Office of the United States Attorney and the attorneys for the defendants agree that the following rules apply to the depositions to be conducted between February 20, 2015 and March 1, 2015. As a general matter, all objections, including but not limited to objections to relevance (FRE §401), prejudice (FRE §403), privilege (FRE §501), need for personal knowledge (FRE § 602) opinion (FRE §701), and hearsay (FRE §801 et seq.) are preserved without objection. Subsequent to the depositions all parties shall have the opportunity to object, in writing, to any portion of the deposition they deem objectionable, and such objections shall be ruled on by the Judge or magistrate. However, any objection as to form (such as leading) or that an insufficient foundation has been shown, including but not limited to, a lack of personal knowledge, a statement made in furtherance of a conspiracy, a waiver of a privilege, etc., will be deemed waived unless the adverse party is notified, orally or in writing, at a time when s/he can cure the foundational problem. If s/he elects not to remedy the perceived deficiency, or fails to remedy the perceived deficiency, after receiving notice, the issue may be raised in the post-deposition motions and is not waived.



Susan Kellman, Esq.
Sarah Kunstler, Esq.
Ezra Spilke, Esq.
Counsel for ALI YASIN AHMED

LORETTA E. LYNCH
United States Attorney

By:


Shreve Ariail
Seth D. DuCharme
Richard M. Tucker
Assistant U.S. Attorneys
Mark DeMarco, Esq.
Karloff Commissiong, Esq.
Counsel for MADHI HASHI



David Stern, Esq.
Jane Simkin Smith, Esq.
Counsel for MOHAMED YUSUF

IT IS SO ORDERED.

Dated: 2/17/15

/s/ Sandra L. Townes

The Honorable Sandra L. Townes
United States District Judge